

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:34 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, AND DAVID STEINMAN

EXCUSED: MEMBER LEO DAVENPORT

STAFF PRESENT: DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., KYLE WALTON - PLANNING & DEVELOPMENT DEPT., DAVID GUERRA- PUBLIC WORKS, YONGYAO LOU - PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE, DEENY ARAUJO – CITY CLERK'S OFFICE

MINUTES:

DAVID CLAPSADDLE, Planning and Development Department, referenced the items to be held in abeyance and noted that letters were submitted for each of items and are on file. The items are:

Item 1	TMP-3530	Abeyance to 3/25/2004 Planning Commission meeting
Item 18	ZON-3346	Abeyance to 3/25/2004 Planning Commission meeting
Item 19	SDR-3514	Abeyance to 3/25/2004 Planning Commission meeting
Item 27	VAR-3704	Request to Withdraw Without Prejudice
Item 33	SUP-3717	Abeyance to 3/25/2004 Planning Commission meeting

With regard to the items listed on the One Motion/One Vote agenda, all applicants have submitted letters agreeing to the conditions and they will be made a part of the record.

OTHER ITEMS:

With regard to Item 5 [TMP-1218], staff previously made a recommendation of denial based problems with the map. Subsequently, the applicant resolved the issue and staff changed their recommendation to approval.

Relating to Item 28 [SDR-3703], there was a companion parking variance with it. MR. CLAPSADDLE stated that staff's concern was directly related to the parking variance. As part of the record, the applicant submitted a letter committing to meeting all the standards of the code including all parking requirements and consequently, the parking variance will be withdrawn. Staff changed their recommendation to approval.

MR. CLAPSADDLE noted that Public Works department will recommend a condition change to Item 3 [TMP-3687], which is on the Consent Agenda. He did not feel it necessary to remove the item from the agenda in order to modify Condition 9.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Briefing

MINUTES: Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT suggested making the public aware that if there are any protests or approvals with regard to the One Motion/One Vote items, they are welcome to do so.

Having experienced some confusion at the last meeting regarding the abeyance items, COMMISSIONER McSWAIN asked whether all the items would be voted on at the same time. MR. CLAPSADDLE explained that all the items will be opened at the same time, then voted on.

MEETING ADJOURNED AT 5:45 P.M.

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by COMMISSIONER STENMAN.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, AND DAVID STEINMAN

EXCUSED: MEMBER LEO DAVENPORT

STAFF PRESENT: MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., KYLE WALTON - PLANNING & DEVELOPMENT DEPT., DAVID GUERRA- PUBLIC WORKS, YONGYAO LOU - PUBLIC WORKS, BRYAN SCOTT - CITY ATTORNEY'S OFFICE, ANGELA CROLLI - CITY CLERK'S OFFICE, DEENY ARAUJO - CITY CLERK'S OFFICE

(6:00)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

SUBJECT:

Approval of the minutes of the January 22, 2004, Planning Commission Meeting

MOTION:

GOYNES – APPROVED – UNANIMOUS with NIGRO abstaining as he was not present at the meeting and STEINMAN abstaining as he was not a Commission Member at that time and DAVENPORT excused

NOTE: A previous motion for Approval by NIGRO, which carried Unanimously with STEINMAN abstaining as he was not a Commission Member at that time and DAVENPORT excused, was rescinded by GOYNES, which carried Unanimously with DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL introduced and welcomed COMMISSIONER DAVID STEINMAN who was recently appointed by COUNCILMAN LARRY BROWN. COMMISSIONER STEINMAN brings with him many years of experience in the areas of commercial residential lending and mortgage banking. In addition, COMMISSIONER STEINMAN is a former City Council member and Planning Commissioner from Worthington, Ohio.

Thanking CHAIRMAN TRUESDELL for the introduction, COMMISSIONER STEINMAN stated it is his pleasure to be on the Board.

(6:02)

1-40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

CHAIRMAN TRUESDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - TMP-3530 - LOG CABIN RANCH UNIT 7 - APPLICANT: D.R. HORTON - OWNER: LAS VEGAS DUNES, INC. - Request for a Tentative Map FOR A 43 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 15.9 acres adjacent to the west side of Durango Drive between Log Cabin Way and Moccasin Road (APN:125-05-604-047), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and **HOLD IN ABEYANCE** Item 1 [TMP-3530], Item 18 [ZON-3346], Item 19 [SDR-3514] and Item 33 [SUP-3717] to the 3/25/2004 Planning Commission meeting and to Accept the **WITHDRAWAL WITHOUT PREJUDICE** of Item 27 [VAR-3704] – **UNANIMOUS** with McSWAIN abstaining on Item 1 [TMP-3530] in light of pending legal action with D.R. Horton and DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL noted the reasons for each applicant's request for abeyance.

Item 1	To resolve design issues
Item 18	Hired new representation
Item 19	Hired new representation
Item 33	Address concerns

DAVID CLAPSADDLE, Planning and Development Department, stated that there are letters on file for each request.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 1 – TMP-3530

MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT recommended the applicants on Items 18 and 19 be put on notice seeing as this is their second request for abeyance and unless they have good cause to hold these items in abeyance again, this should be the final hold on those two items.

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, appeared on behalf of the applicants for Items 18 and 19. He stated that he would relay the City Attorney's comments and ensure the applications are in order by 3/25/2004.

(6:05 – 6:08)

1-127

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-3677 - EL PARQUE PROFESSIONAL PARK (A COMMERCIAL SUBDIVISION)

- APPLICANT: AZIMUTH ENGINEERING - OWNER: LOS NEVADOS PARTNERS -

Request for a Tentative Map FOR A ONE LOT COMMERCIAL SUBDIVISION on 2.38 acres at 6950 O'Bannon Drive (APN: 163-03-704-005), R-E (Residence Estates) under Resolution of Intent to O (Office) Zone, Ward 1 (Moncrief).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Items 2 through 9 subject to conditions – UNANIMOUS with DAVENPORT excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:08 – 6:10)

1-221

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (Z-0111-97).

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 2 – TMP-3677

CONDITIONS - Continued:

3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
6. All appropriate Notes per section Title 18.10.230 shall appear on the recorded Final Map.
7. Site development to comply with all applicable conditions of approval for Z-0111-97 and all other subsequent site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-3687 - ARROYO CANYON - APPLICANT: KIMBALL HILL HOMES - OWNERS: PARDEE HOMES AND KIMBALL HILL HOMES - Request for a Tentative Map FOR A 63 LOT SINGLE FAMILY SUBDIVISION on 15.4 acres adjacent to the southwest corner of Deer Springs Way and Tee Pee Lane (APN:125-19-701-002, 003, 005 and 012), U (Undeveloped) [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)] and U (Undeveloped) Zones [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD4 (Residential Planned Development – 4 Units Per Acre), Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Items 2 through 9 subject to conditions and amending Item 3 [TMP-3687], Condition 9 as follows:

9. *Coordinate with VTN Nevada on the Deer Springs Way Offsite sewer project for the Cliffs Edge development. If not already constructed at time of development, extend the 12-inch sewer line in Deer Springs Way to the western edge of development.*

– UNANIMOUS with DAVENPORT excused

This is Final Action

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 3 – TMP-3687

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.
(6:08 – 6:10)

1-221

CONDITIONS:

Planning and Development

1. The retaining walls along all street frontages shall be stepped to the back of sidewalk and constructed of decorative block with cap or natural materials.
2. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
3. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-3330).
4. Prior to review of Civil Improvement plans, a revised Tentative Map depicting the minimum required open space must be approved by the Planning and Development Department and Public Works Department staff.
5. Street names must be provided in accord with the City's Street Naming Regulations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.
7. No turf shall be permitted in the non-recreational common areas of single-family developments, such as the medians and amenity zones in this development.

Public Works

8. All rights-of-way in conflict with this site, such as those shown on VAC-2229, shall be vacated prior to the recordation of a Final Map abutting or overlying such right-of-way.
9. Extend over-sized sanitary sewer in the Deer Springs Way alignment to the western boundary of this site to a location and depth acceptable to the City Engineer concurrent with development of this site.
10. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 3 – TMP-3687

CONDITIONS - Continued:

11. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
12. Site development to comply with all applicable conditions of approval for ZON-1834, SDR-1835, ZON-3328, SDR-3330 and all other subsequent site-related actions.
13. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-3692 - CONCORDIA @ LONE MOUNTAIN WEST UNIT 6 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA, INC. - Request for a Tentative Map FOR A 23 LOT SINGLE FAMILY SUBDIVISION on 5.50 acres adjacent to the south side of Stange Avenue, approximately 660 feet west of Cliff Shadows Parkway (APN: 137-01-201-013), PD (Planned Development) Zone, Ward 4 (Brown).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Items 2 through 9 subject to conditions – UNANIMOUS with DAVENPORT excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:08 – 6:10)

1-221

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 4 – TMP-3692

CONDITIONS - Continued:

2. All development shall conform to the Conditions of Approval for Rezoning (SDR-1666), Site Development Plan Review (SDR-1667), and the Lone Mountain West Master Plan Development Standards.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Site development to comply with all applicable conditions of approval for ZON-1666 and all other subsequent site-related actions.
6. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-3718 - BUNKER COMMONS – APPLICANT/OWNER: SF INVESTMENTS -
Request for a Tentative Map FOR A 34 LOT SINGLE FAMILY SUBDIVISION on 10 acres adjacent to the northeast, northwest and southeast corners of Peak Drive and Maverick Street (APN: 138-14-601-029, 030, 138-14-602-021, 138-14-701-001 and 002), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single Family Residential), Ward 5 (Weekly).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Items 2 through 9 subject to conditions – UNANIMOUS with DAVENPORT excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:08 – 6:10)

1-221

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 5 – TMP-3718

CONDITIONS - Continued:

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-3235) and Rezoning (ZON-3119).
3. Prior to the approval of civil improvement plans the applicant shall submit notarized letters from the property owners of APN: 138-14-602-026 and 027 indicating conformance with condition number 1 of the Site Development Plan Review (SDR-3235).
4. Street names must be provided in accord with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. Perimeter block walls shall consist of decorative block with 20% contrasting material and cap; shall be limited to eight feet vertical wall face; and grade changes requiring retaining walls to exceed eight feet vertical wall face must include terracing with a minimum of four feet clear horizontal separation between walls.

Public Works

7. Site development to comply with all applicable conditions of approval for ZON-3119 and all other subsequent site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-3720 – RANCHO LAKE CONDOMINIUMS - APPLICANT/OWNER: BHP INVESTORS, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 300 UNIT CONDOMINIUM DEVELOPMENT on 15.31 acres adjacent to the west side of Rancho Drive between Lake Mead Boulevard and Coran Lane (APN:139-19-601-004), G-2 (General Commercial) Zone under Resolution of Intent to R-3 (Medium Density Residential), Ward 5 (Weekly).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Items 2 through 9 subject to conditions – UNANIMOUS with DAVENPORT excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:08 – 6:10)

1-221

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (Z-0096-00) and Site Development Plan Review [Z-0096-00(1)].

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 6 – TMP-3720

CONDITIONS - Continued:

3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting all required setbacks shall be approved by the Planning and Development Department and Public Works Department staff.
4. All perimeter walls, including a combination of retaining and screen walls, shall not exceed eight feet in height, measured from the base of the retaining wall, without appropriate setbacks.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. Access to Rancho Drive will not be permitted until modifications to the signal at the Rancho Drive entry are complete.
7. Sewer service for this condominium subdivision shall be shown as private and the appropriate Note shall appear on the face of the recorded Final Map.
8. Site development to comply with the approved Traffic Impact Study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-3722 - ORICLE BUSINESS PARK (A COMMERCIAL SUBDIVISION) - APPLICANT: OLYMPUS GROUP, INC. - OWNER: O'BANNON-JONES, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A ONE LOT COMMERCIAL SUBDIVISION on 1.69 acres adjacent to the northeast corner of Jones Boulevard and O'Bannon Drive (APN: 163-01-304-013), R-E (Residence Estates) Zone under Resolution of Intent to P-R (Professional Office and Parking) and U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Moncrief).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Items 2 through 9 subject to conditions – UNANIMOUS with DAVENPORT excused

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:08 – 6:10)

1-221

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004

Planning and Development Department

Item 7 – TMP-3722

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (ZON-3182) and Site Development Plan Review (SDR-3183).
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting all required setbacks shall be approved by the Planning and Development Department and Public Works Department.
4. All perimeter walls, including a combination of retaining and screen walls, shall not exceed eight feet in height, measured from the base of the retaining wall, without appropriate setbacks.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

6. Petition of Vacation VAC-3726 shall record prior to the recordation of a Final Map for this site.
7. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.
8. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 7 – TMP-3722

CONDITIONS:

9. All appropriate Notes per Las Vegas Municipal Code Title 18 Subdivisions Section 18.10.230 shall appear on the recorded Final Map.
10. Site development to comply with all applicable conditions of approval for Rezoning Classification ZON-3182, SDR-3183, and all other subsequent site-related actions.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

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DISCUSSION

SUBJECT:

ANX-3693 - APPLICANT/OWNER: CLIFF'S EDGE, LIMITED LIABILITY COMPANY - Petition to annex property located on the northeast corner of Bath Drive and Michelli Crest Way (APN: 126-24-701-003), containing approximately 2.14 acres, Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

NIGRO – APPROVED Items 2 through 9 subject to conditions – UNANIMOUS with DAVENPORT excused

To be forwarded to the City Council in Ordinance Form

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:08 – 6:10)

1-221

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ANX-3714 - APPLICANT/OWNER: JAMES AND LORI KIBLER - Petition to annex property located on the west side of Chieftain Street, 330 feet north of Rome Boulevard (APN: 125-19-701-009), containing approximately 2.06 acres, Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

NIGRO – APPROVED Items 2 through 9 subject to conditions – **UNANIMOUS** with **DAVENPORT** excused

To be forwarded to the City Council in Ordinance Form

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:08 – 6:10)

1-221

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

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DISCUSSION

SUBJECT:

**ABEYANCE ITEM - PUBLIC HEARING - SPECIAL USE PERMIT - SUP-3545 -
APPLICANT: SHOW MEDIA - OWNER: NEVADA SPACE, INC. - Request for a
Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT
OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2798 Highland Drive (APN: 162-09-
202-007), M (Industrial) Zone, Ward 1 (Moncrief).**

IF APPROVED: C.C.: 04/07/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that this application is located in the industrial area of the City and is designated LIR on the General Plan. He stated that staff met with the applicant to review the conditions and with that the applicant agreed to all conditions as recommended by staff.

ATTORNEY CHRIS YERGENSEN, 4680 Polaris, appeared on behalf of the applicant and asked the Commission to follow staff's recommendations for approval..

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 10 – SUP-3545

MINUTES – Continued:

COMMISSIONER McSWAIN felt the billboard is appropriate for the area; however, she stated that this particular application is without any landscape plan and the property itself falls short of any enhancements. Inasmuch as the placement of the billboard is only on a section of the property, she felt it would be advantageous for the City to consider placing the responsibility of landscaping enhancements on the property owner who ultimate would attain financial benefits.

ATTORNEY YERGENSEN commented that other uses were approved on this particular site and if those applications do go forward, he was confident the property owner would comply with the Standards of the Code.

MR. CLAPSADDLE offered to research the situation in terms of landscaping requirements and set standards relative to traditional billboards. CHAIRMAN TRUESDELL felt it would be appropriate to consider the criteria as set for cellular towers and he agreed that the owner should be held responsible when such an application is submitted. Considering the feelings expressed not only by Commissioners but by the general public, he directed staff to examine the circumstances and establish the appropriate guidelines that would influence future similar applications.

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that billboards are covered in the section for signage and inasmuch as it is a special use permit and not a site development plan, that is the reason why it is not addressed by the Code. DEPUTY CITY ATTORNEY BRYAN SCOTT stated that certain conditions could be created being as billboards do require special use permits. However, he added that in some cases, specifically the locations that are in industrial areas, there might not be appropriate space or adequate irrigation to maintain landscaping.

COMMISSIONER McSWAIN concurred with the previous comments but emphasized that property owners need to be aware of and comply with the Standards of the Code.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:12 – 6:27)

1-291

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

PLANNING COMMISSION MEETING OF AUGUST 14, 2003
Planning and Development Department
Item 10 – SUP-3545

CONDITIONS – Continued:

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The Special Use Permit shall be reviewed in two (2) years, at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the Off-Premise Advertising (Billboard) Sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council; or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements; or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

9. The proposed billboard shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MASTER SIGN PLAN – PUBLIC HEARING - DIR-3816 - APPLICANT/OWNER: NEVADA STATE BANK - Request for a Master Sign Plan FOR AN APPROVED COMMERCIAL DEVELOPMENT on 1.63 acres adjacent to the northwest corner of Buffalo Drive and Sky Pointe Drive (APN:125-21-711-003), U (Undeveloped) Zone under Resolution of Intent to T-C (Town Center), Ward 6 (Mack).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

NIGRO – APPROVED Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 16 [VAC-3707] as her firm is presently doing work for Sterling S. Development and NIGRO abstaining on Item 16 [VAC-3707] as his firm is currently in litigation with the principals of Sterling S. Development and DAVENPORT excused

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726].

DAVID CLAPSADDLE, Planning and Development Department, confirmed the receipt of letters from the applicants agreeing to all conditions.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 11 – DIR-3816

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726].

NOTE: All discussion for Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726] was held under Item 11 [DIR-3816].

(6:10 – 6:12)

1-272

CONDITIONS:

Planning and Development

1. Conformance to the submitted sign elevations and site plan.
2. All signage shall have proper permits obtained through the Building and Safety Department.

Public Works

3. Site development to comply with all applicable conditions of approval for the Buffalo/Davis (Commercial Subdivision) and all other subsequent site-related actions.
4. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3685 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: JAMES AND LINDA SAPP - Required Two Year Review of an Approved Variance (V-0112-96) WHICH ALLOWED AN EXISTING NON-CONFORMING 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE RELOCATED 513 FEET FROM ANOTHER OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at 1109 Western Avenue (APN: 162-04-504-001), M (Industrial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 04/07/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and Amending Condition 1 as follows:

1. The Variance shall be reviewed in *two* years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

– UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 12 – RQR-3685

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that staff recommended approval of the previous reviews of this application. He noted that, with regard to this review, the applicant submitted a letter agreeing to all of the conditions.

DEBBIE BARONE, Lamar Outdoor Advertising, 1863 Helm Drive, appeared on behalf of the applicant and concurred with staff recommendations and conditions.

TODD FARLOW, 240 North 19th Street, asked what the conditions were for this review. MR. CLAPSADDLE explained that there are added conditions to the previous review that require the billboard and structure to be maintained and graffiti-free at all times and ensure the property is properly maintained.

MR. CLAPSADDLE, responding to COMMISSIONER McSWAIN'S inquiry with regard to the Holsum Building renovation, explained that staff observed the area and looked at other applications and determined that no significant changes have occurred in the neighborhood.

COMMISSIONER EVANS asked whether the Nevada Department of Transportation had not identified that area for a flyover and wondered how this might affect that corridor in the future. He felt that since Condition 1 requires a five-year review, if there is substantial movement in that area, this might be an unreasonable length of time. MS. WHEELER stated staff does look at the nature of any changes proposed and in the case of the Holsum Bakery building, the structure itself would retain the industrial appearance. She also explained that the final configuration for the flyover is currently not in place.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:27 – 6:34)

1-827

CONDITIONS:

Planning and Development

1. The Variance shall be reviewed in five years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 12 – RQR-3685

CONDITIONS - Continued:

2. If the existing off-premise advertising sign structure is removed, this Variance shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
5. All City Code requirements and design standards of all City Departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3686 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: STATE OF NEVADA TRANSPORTATION - Required Two Year Review of an approved Special Use Permit (U-0107-96) WHICH ALLOWED AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 110 North Jones Boulevard (APN: 138-25-404-003), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald).

IF APPROVED: C.C.: 04/07/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - TABLED – UNANIMOUS with TRUESDELL abstaining as he is currently working with the Nevada Department of Transportation on an adjacent property and EVANS abstaining in an abundance of caution as he is employed by the State of Nevada and DAVENPORT excused

To be heard by the City Council on 4/7/2004.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that this site has had previous reviews. There were no protests or approval.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 13 – RQR-3686

MINUTES – Continued:

DEBBIE BARONE, Lamar Outdoor Advertising, 1863 Helm Drive, appeared on behalf of the applicant and concurred with staff recommendations and conditions.

TODD FARLOW, 240 North 19th Street, asked whether a cell tower was ever located on this site. MR. CLAPSADDLE stated there were none on that site.

COMMISSIONER McSWAIN noted that the photographs appear to reflect graffiti on the buildings. She stated she would not support the application.

MARGO WHEELER, Deputy Director, Planning and Development Department, asked whether the applicant had been notified by the Nevada Department of Transportation (NDOT) regarding the widening of the freeway adjacent to this property. MS. BARONE acknowledged having received notification and stated that the sign was approved if it is located 80 feet to the north; however, the site plan does not reflect the anticipated change. She clarified that the building that has the graffiti on it is owned by NDOT. MS. WHEELER emphasized that when the State of Nevada takes an action that requires movement, it does not require any City action.

VICE CHAIRMAN NIGRO expressed concern with approving the request if the City is not given the opportunity to see where the billboard will eventually be placed. MS. WHEELER also expressed the same concern. In this case, since staff has issues regarding the billboard maintenance it would not be inappropriate to require a plan reflecting the change. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed that inasmuch as the City could go forward and approve the request; if NDOT moves it, the City would not have any say in the matter. VICE CHAIRMAN NIGRO felt it would be more appropriate to hold the request until such time as there is an indication of the new location.

On the recommendation of COMMISSIONER McSWAIN to table the request, DEPUTY CITY ATTORNEY SCOTT stated that would be an appropriate action based on the lack of information.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(6:12 – 6:27)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3691 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Required Two Year Review of an approved Site Development Plan Review [Z-0026-92(3)] FOR A 4,032 SQUARE FOOT CHILD CARE CENTER IN THREE MODULAR BUILDINGS on 0.97 acres adjacent to the east side of Valley View Boulevard, approximately 1,200 feet north of Charleston Boulevard (APN: 139-31-801-006), C-V (Civic) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 04/07/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 16 [VAC-3707] as her firm is presently doing work for Sterling S. Development and NIGRO abstaining on Item 16 [VAC-3707] as his firm is currently in litigation with the principals of Sterling S. Development and DAVENPORT excused

To be heard by the City Council on 4/7/2004.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726].

DAVID CLAPSADDLE, Planning and Development Department, confirmed the receipt of letters from the applicants agreeing to all conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 14 – RQR-3691

MINUTES – Continued:

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726].

NOTE: All discussion for Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726] was held under Item 11 [DIR-3816].

(6:10 – 6:12)

1-272

CONDITIONS:

Planning and Development

1. No additional reviews of this Site Development Plan Review [Z-0026-92(3)] shall be required.
2. Conformance to all applicable conditions of approval for Site Development Plan Review [Z-0026-92(3)].

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

**REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - RQR-3705 -
APPLICANT: VIACOM OUTDOOR - OWNER: SAHARA RANCHO MEDICAL -**
Required Two Year Review of an Approved Variance (V-0154-94) WHICH ALLOWED A
14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2320 South
Rancho Drive (APN: 162-04-401-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 04/07/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

**NIGRO – APPROVED Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705],
Item 16 [VAC-3707], and Item 17 [VAC-3726] subject to conditions – UNANIMOUS with
McSWAIN abstaining on Item 16 [VAC-3707] as her firm is presently doing work for
Sterling S. Development and NIGRO abstaining on Item 16 [VAC-3707] as his firm is
currently in litigation with the principals of Sterling S. Development and DAVENPORT
excused**

To be heard by the City Council on 4/7/2004.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [DIR-3816], Item 14
[RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726].

DAVID CLAPSADDLE, Planning and Development Department, confirmed the receipt of
letters from the applicants agreeing to all conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 15 – RQR-3705

MINUTES – Continued:

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726].

NOTE: All discussion for Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726] was held under Item 11 [DIR-3816].

(6:10 – 6:12)

1-272

CONDITIONS:

Planning and Development

1. The Variance shall be reviewed in three years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Variance shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
5. All City Code requirements and design standards of all City Departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-3707 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS II, LIMITED LIABILITY COMPANY - Request for a Petition to vacate public sewer and drainage easements generally located south of Log Cabin Way, west of El Capitan Way, Ward 6, (Mack).

SET DATE: 03/17/04

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726] subject to conditions – UNANIMOUS with McSWAIN abstaining on Item 16 [VAC-3707] as her firm is presently doing work for Sterling S. Development and NIGRO abstaining on Item 16 [VAC-3707] as his firm is currently in litigation with the principals of Sterling S. Development and DAVENPORT excused

To be heard by the City Council on 4/7/2004.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726].

DAVID CLAPSADDLE, Planning and Development Department, confirmed the receipt of letters from the applicants agreeing to all conditions.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 16 – VAC-3707

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726].

NOTE: All discussion for Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726] was held under Item 11 [DIR-3816].

(6:10 – 6:12)

1-272

CONDITIONS:

1. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. All development shall be in conformance with code requirements and design standards of all City departments.
3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-3726 - APPLICANT: OLYMPUS GROUP, INC. - OWNER: O'BANNON-JONES, LIMITED LIABILITY COMPANY - Request for a Petition to vacate public sewer and drainage easements; and U. S. Government Patent Reservations generally located north of O'Bannon Drive, east of Jones Boulevard, Ward 1 (Moncrief).

SET DATE: 03/17/04

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726] subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Item 16 [VAC-3707] as her firm is presently doing work for Sterling S. Development and NIGRO abstaining on Item 16 [VAC-3707] as his firm is currently in litigation with the principals of Sterling S. Development and DAVENPORT excused

To be heard by the City Council on 4/7/2004.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726].

DAVID CLAPSADDLE, Planning and Development Department, confirmed the receipt of letters from the applicants agreeing to all conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 17 – VAC-3726

MINUTES – Continued:

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726].

NOTE: All discussion for Item 11 [DIR-3816], Item 14 [RQR-3691], Item 15 [RQR-3705], Item 16 [VAC-3707], and Item 17 [VAC-3726] was held under Item 11 [DIR-3816].

(6:10 – 6:12)

1-272

CONDITIONS:

1. A sanitary sewer relocation/abandonment plan must be submitted and approved by the Department of Public Works prior to the recordation of the Order of Vacation, plan must maintain sewer service to upstream users. Alternate public sewer easements shall be recorded prior to or concurrent with the recordation of the Order of Vacation.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Vacation or Relinquishment of Interest for these easements and U.S. Government Patent Reservations and easements. The vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works. The Drainage Study required by Zoning Reclassification ZON-3182 may be used to satisfy this condition.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation or Relinquishment of Interest.
4. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON-3182, Site Development Plan Review SDR-3183 and all other subsequent site-related actions.
5. All development shall be in conformance with code requirements and design standards of all City departments.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 17 – VAC-3726

CONDITIONS – Continued:

6. The Order of Vacation or Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
7. If the Order of Vacation or Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - RENOTIFICATION - REZONING RELATED TO SDR-3514 - PUBLIC HEARING - ZON-3346 - APPLICANT/OWNER: HOLLY FERRELL, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) and C-1 (LIMITED COMMERCIAL) TO: R-PD21 (RESIDENTIAL PLANNED DEVELOPMENT - 21 UNITS PER ACRE) on 7.0 acres adjacent to the southwest corner of Holly Avenue and Ferrell Street (APN: 139-20-401-008, 012, 013 and 014), Ward 5 (Weekly).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

87

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 1 [TMP-3530], Item 18 [ZON-3346], Item 19 [SDR-3514] and Item 33 [SUP-3717] to the 3/25/2004 Planning Commission meeting and to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 27 [VAR-3704] – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-3530] in light of pending legal action with D.R. Horton and DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL noted the reasons for each applicant's request for abeyance..

Item 1	To resolve design issues
Item 18	Hired new representation
Item 19	Hired new representation
Item 33	Address concerns

DAVID CLAPSADDLE, Planning and Development Department, stated that there are letters on file for each request.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 18 – ZON-3346

MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT recommended the applicants on Items 18 and 19 be put on notice seeing as this is their second request for abeyance and unless they have good cause to hold these items in abeyance again, this should be the final hold on those two items.

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, appeared on behalf of the applicants for Items 18 and 19. He stated that he would relay the City Attorney's comments and ensure the applications are in order by 3/25/2004.

(6:05 – 6:08)

1-127

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - RENOTIFICATION - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3346 - PUBLIC HEARING - SDR-3514 - APPLICANT/OWNER: HOLLY FERRELL, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 144 UNIT APARTMENT COMPLEX on 7.0 acres adjacent to the southwest corner of Holly Avenue and Ferrell Street (APN: 139-20-401-008, 012, 013, and 014), R-E (Residence Estates) and C-1 (Limited Commercial) Zones [PROPOSED: R-PD21 (Residential Planned Development - 21 Units Per Acre)], Ward 5 (Weekly).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

87

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 1 [TMP-3530], Item 18 [ZON-3346], Item 19 [SDR-3514] and Item 33 [SUP-3717] to the 3/25/2004 Planning Commission meeting and to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 27 [VAR-3704] – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-3530] in light of pending legal action with D.R. Horton and DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL noted the reasons for each applicant's request for abeyance..

Item 1 To resolve design issues
Item 18 Hired new representation
Item 19 Hired new representation
Item 33 Address concerns

DAVID CLAPSADDLE, Planning and Development Department, stated that there are letters on file for each request.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 19 – SDR-3514

MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT recommended the applicants on Items 18 and 19 be put on notice seeing as this is their second request for abeyance and unless they have good cause to hold these items in abeyance again, this should be the final hold on those two items.

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, appeared on behalf of the applicants for Items 18 and 19. He stated that he would relay the City Attorney's comments and ensure the applications are in order by 3/25/2004.

(6:05 – 6:08)

1-127

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MAJOR MODIFICATION TO THE MONTECITO DEVELOPMENT AGREEMENT RELATED TO SUP-3503 AND SDR-3505 - PUBLIC HEARING - MOD-3735 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Major Modification to the Montecito Development Agreement TO ADD 10 ACRES TO THE OVERALL PLAN AREA adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone [PROPOSED: ML-TC (Medium-Low Density Residential - Town Center) General Plan Designation], Ward 6 (Mack).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as his firm as a business relationship with Montecito Development on an adjacent property, McSWAIN abstaining as her firm has a business contract with Montecito Development and DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 20 [MOD-3735], Item 21 [SUP-3503], and Item SDR-3505.

KYLE WALTON, Planning and Development Department, explained that the applicant is requesting a major modification to the Montecito Development Agreement in order to add 10 additional acres to the overall plan.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 20 – MOD-3735

MINUTES – Continued:

Staff determined that the modification is inappropriate and not needed for the applicant's proposed development and felt that this deviation is premature and not an appropriate transition between the low density of the adjoining Timberlake subdivision and the commercial to the west. MR. WALTON added that single-family residential is not compatible with the Montecito Life-Style Center located to the west of the project. Staff recommended denial on the modification as well as the site development review and the special use permit.

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. Using the overhead, he indicated the adjacent properties located within the Montecito Town Center area and stated that incorporating the additional acreage would be an appropriate transaction. With respect to the special use permit, ATTORNEY GRONAUER explained that consistent with the latest revision, this development would not be gated although the interior private streets will remain. Insofar as the site development plan is concerned, the proposal will encompass 96 single-family detached homes. ATTORNEY GRONAUER remarked that all standards of the Town Center and Montecito Development Agreement guidelines will be met. In finalizing, he noted that the surrounding area does include several mixed-use developments and on the site plan indicated those areas.

TODD FARLOW, 240 North 19th Street, approved of the proposed development.

MANNY ARIAS, 8237 Fawn Heather Court, a resident of Timberlake, stated his disappointment with the proposed project and concurred with staff's recommendation for denial. He stated that the residents of Timberlake have long looked to commercial development and stated that they oppose the intended project because it does not comply with the intention of Town Center.

DOTTIE MILLER, resident of Timberlake, appeared in opposition to the proposed development. She stated that residents have approached the developer with numerous questions regarding the project and have received no responses.

Referring to the site elevations, ATTORNEY GRONAUER stated that this property was initially zoned for high-density residential by another developer. Subsequently, the deal fell through and Richmond American Homes came in with the proposed development.

In consideration of the comments made by the previous residents, COMMISSIONER GOYNES asked whether the trails will act as a buffer between the proposed development and the Timberlake Subdivision. ATTORNEY GRONAUER explained that the developer plans to put in 33-feet of landscaping with the meandering trail to meet the requirements of City Code for the sole purpose of providing an amenity buffer for the Timberlake residents.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 20 – MOD-3735

MINUTES – Continued:

Being the newest member of the Planning Commission, COMMISSIONER STEINMAN asked staff to provide additional background information in order to substantiate the comments made by the previous speakers who appeared in opposition. MR. WALTON explained that one of the main purposes of the overall plan was to encourage developers to incorporate such amenities as tree-lined city blocks with boulevards, meandering trails and walking paths where optimally residents would be able to walk to their destinations and eliminate the need for vehicle transportation. Seeing as there have been a number of modifications to the Town Center Master Plan, VICE CHAIRMAN NIGRO suggested that staff apprise COMMISSIONER STEINMAN of all that has transpired since the inception. For further clarification related to the subject applications and referring to the staff report, MARGO WHEELER, Deputy Director, Planning and Development Department, gave a brief description of what the Town Center Plan called for relative to the subject area.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 20 [MOD-3735], Item 21 [SUP-3503], and Item 22 [SDR-3505].

NOTE: All discussion for Item 20 [MOD-3735], Item 21 [SUP-3503], and Item 22 [SDR-3505] was held on Item 20 [MOD-3735].

(6:42/6:52 – 7:22)

1-1360/1-2001

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-3503) and a Site Development Plan Review (SDR-3505) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Montecito Development Agreement and the Town Center Development Standards Manual, as appropriate, except as amended by this request.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - RENOTIFICATION - SPECIAL USE PERMIT RELATED TO SDR-3505 AND MOD-3735 - PUBLIC HEARING - SUP-3503 - APPLICANT: RICHMOND AMERICAN HOMES – OWNERS: JAMES R. TUCKER FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Special Use Permit FOR A GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway (APN: 125-20-702-001), T-C (Town Center) Zone [PROPOSED: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack).

IF APPROVED: C.C.: 04/07/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as his firm as a business relationship with Montecito Development on an adjacent property, McSWAIN abstaining as her firm has a business contract with Montecito Development and DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

**NOTE: See Item 20 [MOD-3735] for related discussion
(6:42/6:52 – 7:22)
1-1360/1-2001**

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 21 – SUP-3503

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for the Modification of the Montecito Town Center Development Agreement (MOD-3735) and Site Development Plan Review (SDR-3505).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Consideration shall be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Abutting public street stubs from previously approved adjacent developments shall be terminated in a cul-de-sac or shall be extended to connect to another public street.
6. Gated communities not taking access directly off an arterial roadway shall have a minimum of two active gated entrances. Additional gated entrance may be required to disperse the traffic throughout the street network.

Public Works

7. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
8. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
9. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
10. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-3505 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

**ABEYANCE ITEM - RENOTIFICATION - SITE DEVELOPMENT PLAN REVIEW
RELATED TO SUP-3503 AND MOD-3735 - PUBLIC HEARING - SDR-3505 -
APPLICANT: RICHMOND AMERICAN HOMES – OWNERS: JAMES R. TUCKER
FAMILY TRUST AND JAMES TUCKER TRUST - Request for a Site Development Plan
Review FOR A PROPOSED 96 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on
10 acres adjacent to the southeast corner of Deer Springs Way and Grand Montecito Parkway
(APN: 125-20-702-001), T-C (Town Center) Zone, Ward 6 (Mack).**

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

**GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL
abstaining as his firm as a business relationship with Montecito Development on an
adjacent property, McSWAIN abstaining as her firm has a business contract with
Montecito Development and DAVENPORT excused**

To be heard by the City Council on 4/7/2004

MINUTES:

**NOTE: See Item 20 [MOD-3735] for related discussion
(6:42/6:52 – 7:22)
1-1360/1-2001**

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 22 – SDR-3505

CONDITIONS:

Planning and Development

1. The applicant shall meet with staff of the Planning and Development Department to develop an address plan prior to the issue of permits.
2. A Modification of the Montecito Development Agreement (MOD-3735) and a Special Use Permit (SUP-3503) approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The setbacks for this development shall be a maximum of 5 feet or a minimum of 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 10 feet in the rear.
5. The Timberlake Buffer shall be constructed in accordance with the Department of Public Work's approved cross-section for Doe Brook Trails (Old Durango Drive).
6. As part of a future Tentative Map submittal for this project, the applicant shall submit a lot fit analysis to the Planning and Development Department to ensure the proposed product fits onto the proposed lots.
7. All development shall be in conformance with the site plan and building elevations, date stamped February 18, 2004, except as amended by conditions herein.
8. Tandem garages shall not be utilized unless a separate parking space with unimpeded access is provided upon the same lot as the tandem-style garage.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
10. No turf shall be permitted in the non-creational areas of single –family developments, such as medians and amenity zones in this development.
11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
12. Air conditioning units shall not be mounted on rooftops.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 22 – SDR-3505

CONDITIONS - Continued:

13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. All perimeter walls shall conform to the standards of the Town Center Development Standards Manual.
15. All City Code requirements and design standards of all City departments must be satisfied.
16. The applicant shall meet with Planning and Development Staff to develop an address plan prior to issue of permits.
17. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

18. Dedicate, a 54 foot radius on the southeast corner of Grand Montecito Parkway and Deer Springs Way prior to the issuance of any permits.
19. Construct half-street improvements including appropriate overpaving if legally able on Grand Montecito Parkway, Deer Springs Way, and Doe Brook Trail adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundary of this site prior to construction of hard surfacing (asphalt or concrete).
20. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in the Doe Brook Trail Alignment to the north edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
21. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 22 – SDR-3505

CONDITIONS - Continued:

#234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 22 – SDR-3505

CONDITIONS:

City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

24. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.
25. Provide an encroachment agreement for all landscaping and private improvements in public right-of-way adjacent to this site prior to the issuance of any permits.
26. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-3665 - APPLICANT/OWNER: DONNA J. CAPRI - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres adjacent to the southwest corner of Eastern Avenue and Canosa Avenue (APN: 162-02-713-114), Ward 3 (Reese).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the subject parcel is surrounded by P-R (Professional Office and Parking) zoning. He stated that the rezoning is an appropriate transition from R-1 (Single Family Residential) to P-R and staff recommended approval subject to conditions.

LORI CHACARTEGUI, appearing on behalf of her mother, DONNA CAPRI, 4571 Monterey Mesa Court, agreed with staff recommendations and conditions.

TODD FARLOW, 240 North 19th Street, had no objection to the rezoning but felt that the landscaping should be carefully scrutinized.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004

Planning and Development Department

Item 23 – ZON-3665

MINUTES – Continued:

In response to COMMISSIONER EVANS' query, MR. CLAPSADDLE explained that with regard to these types of applications, it is standard practice for staff to look at the site plans to ensure all the conditions of the code are met. In this particular case, as noted by MARGO WHEELER, Deputy Director, Planning and Development Department, Condition 2 requires the site plan be brought before the Planning Commission.

MS. CHACARTEGUI informed that the rezoning was requested in order to put the property on the market since her mother can no longer reside there. COMMISSIONER EVANS replied that he would support the rezoning but would be very critical when reviewing the site plan to ensure that there are no issues with regard to hours of operation, signage, etc. CHAIRMAN TRUESDELL stated that under the site development review, the Commission would not have the opportunity to address those types of concerns unless a special use permit were required so it would be appropriate at this stage to address any concerns. COMMISSIONER EVANS stated that if an office is proposed, the appropriate buffering should be in place considering the traffic on Eastern Avenue. DEPUTY CITY ATTORNEY BRYAN SCOTT commented that based on COMMISSIONER EVANS' remarks, the applicant is put on notice that he would not favor anything other than a beautiful project. MR. CLAPSADDLE further added that staff does review all site plan reviews and places conditions that regulate hours of operation, landscaping criteria, joint parking access and any other concerns. With regard to the hours of operation, MS. WHEELER stated that issue is associated with the use, whereas signage, landscaping, parking access, drainage, and screening are related to the site plan review. DEPUTY CITY ATTORNEY SCOTT noted that the hours of operation can be addressed once the use is determined.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:22 – 7:34)

1-3155

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review shall be approved by the Planning Commission and City Council prior to the conversion of the single family residence to an office.

Public Works

3. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Eastern Avenue and Canosa Avenue prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site. This condition shall not be enforced if the applicant provides proof of existing private signage or other permanent improvements within the area requested for dedication.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 23 – ZON-3665

CONDITIONS - Continued:

4. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All new or modifications to existing driveways shall be approved by the City Traffic Engineer and the driveway adjacent to Eastern Avenue shall be designed and constructed to meet the intent of Standard Drawing #222a.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-3678 - APPLICANT/OWNER: RUTH A. SHARRON - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 220 North Lamb Boulevard (APN: 140-32-310-002), Ward 3 (Reese).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that this property was included in the General Plan Amendment back in May. As part of the conditions, the applicant will be required to submit a site plan to the Planning Commission at which time staff will already have determined whether the appropriate meetings with the neighbors have been held and whether there is an opportunity for joint parking access. MR. CLAPSADDLE stated that this meets the standards of the Plan and recommended approval subject to conditions.

DAVID ELLERTSEN, 103 East Charleston Boulevard, appeared on behalf of the applicant and concurred with staff's recommendations and conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 24 – ZON-3678

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, commented that these types of zoning requests should be consolidated and reviewed as one application.

No one appeared in opposition

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:32 – 7:34)

1-3729/2-1

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review shall be approved by the Planning Commission and City Council prior to the conversion of the single family residence to an office.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
4. Coordinate with the existing properties to the north and south to establish perpetual common access rights between these sites for shared driveways and provide a recorded copy of each agreement prior to the issuance of any permits, unless allowed otherwise by the City Engineer. The driveway access for this site shall be located on the shared boundaries of said properties and shall be designed and constructed to meet the intent of Standard Drawing #222A.
5. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic Engineer to eliminate on-street parking on Lamb Boulevard adjacent to this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO SDR-3452 - PUBLIC HEARING - VAR-3711 - APPLICANT: RANCHO POINTE - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND HELEN SLAVIN BALDWIN - Request for a Variance TO ALLOW 134 PARKING SPACES WHERE 199 SPACES ARE REQUIRED FOR A PROPOSED COMMERCIAL DEVELOPMENT on 2.55 acres adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road (APN: 138-12-110-011 and a portion of 138-12-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – DENIED – Motion carried with McSWAIN and NIGRO voting No and DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 25 [VAR-3711] and Item 26 [SDR-3452].

KYLE WALTON, Planning and Development Department, stated that there is no apparent hardship or unique situation to support the parking variance. Staff determined that the parking falls short of the required number of spaces as the result of overbuilding the site in spite of various options that are available to rectify the situation. Staff recommended denial.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 25 – VAR-3711

MINUTES – Continued:

ADRIAN JONES, 4750 West Flamingo Road, appeared on behalf of the applicant. He explained that the applicant had not intended this property to be listed as a retail center; therefore, the 134 spaces as noted on the site plan were determined to be adequate.

AL GALLEG0, citizen of Las Vegas, asked what criteria staff looks at to determine the number of handicap parking spaces. MARGO WHEELER, Deputy Director, Planning and Development Department, explained that the City Building Code sets the standards for handicap parking.

DAVID CLAPSADDLE, Planning and Development Department, clarified for COMMISSIONER STEINMAN that the applicant, at the time he applies for the building permit, would have to show handicap parking in conformance to all codes. MR. JONES added that the confusion rests on the way the property is categorized specifically because different categories have different parking standards. MR. CLAPSADDLE explained that the parking standards for general retail differ from the standards for furniture/wholesale showroom. He stressed that should this piece of property be converted to retail there would definitely be a deficiency of parking. DEPUTY CITY ATTORNEY BRYAN SCOTT added that if another retail use were proposed that also did not meet the parking requirements, the applicant would have to come in for a variance.

COMMISSIONER NIGRO commented on flex-space developments that include retail with storage. He felt that at six spaces per 1,000 square feet, the applicant is relatively close to what they actually need seeing as the property has been categorized more intense than what is actually intended. He remarked that in the County, five to six spaces per 1,000 square feet is acceptable for pretty much any type of retail.

COMMISSIONER GOYNES compared the project to another location at Gowan Road that was previously approved for a office/park complex and has since become an EOB office. Because of the significant lack of parking spaces on the site, the overflow now filters out onto Gowan Road.

COMMISSIONER McSWAIN felt the project is nicely planned and the landscaping is appropriate considering the peculiar shape of the lot; however, she did have reservations about the parking accommodations. She asked staff whether the parking allotments for the tavern and the fast food restaurant were taken into account. MR. WALTON replied that the overall site was looked at; however, because this is a commercial district, all calculations are based on the highest rate that the parking standards call for. He further added that eventually the parking would be at its maximum, therefore seeing the necessary parking as it equates to the amount of building space they have planned is essential.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 25 – VAR-3711

MINUTES – Continued:

CHAIRMAN TRUESDELL opined that six spaces per 1,000 square feet appears to be reasonable yet, comparing it to the City Code, it is a significant variance and cause for concern. COMMISSIONER STEINMAN expressed concern that should this ever be converted to office space, and exemplified a government office, the amount of traffic generated would be tremendous. COMMISSIONER GOYNES interjected and stated that that was exactly the case with the other location that he had commented on previously.

Prior to the vote, COMMISSIONER NIGRO commented that he would not support the denial as he felt the variance was not inappropriate if you focused specifically on this site and considered the location of the buildings and the irregular shape of the property. He also remarked that he did not necessarily agree that all variances are acceptable.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 25 [VAR-3711] and Item 26 [SDR-3452].

NOTE: All discussion for Item 25 [VAR-3711] and Item 26 [SDR-3452] was held under Item 25 [VAR-3711].

(7:34 – 7:58)
1-3909/2-123

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3711 - PUBLIC HEARING - SDR-3452 - APPLICANT: RANCHO POINTE AND J. MARIO SANCHEZ - OWNER: TRISISON, LIMITED LIABILITY COMPANY AND HELEN SLAVIN BALDWIN - Request for a Site Development Plan Review FOR A 23,000 SQUARE FOOT COMMERCIAL DEVELOPMENT on 2.55 acres adjacent to the east side of Rancho Drive, approximately 300 feet south of Alexander Road (APN: 138-12-110-011 and a portion of 138-12-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – DENIED – Motion carried with McSWAIN and NIGRO voting No and DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

**NOTE: See Item 25 [VAR-3711] for related discussion
(7:34 – 7:58)
1-3909/2-123**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO SDR-3703 - PUBLIC HEARING - VAR-3704 - APPLICANT/OWNER: SHARON KEA - IMPERIAL HEALTH SPA - Request for a VARIANCE TO ALLOW 107 PARKING SPACES WHERE 175 ARE REQUIRED at 1070 East Sahara Avenue (APN: 162-03-801-034, 055, 132, 033, and 069), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 1 [TMP-3530], Item 18 [ZON-3346], Item 19 [SDR-3514] and Item 33 [SUP-3717] to the 3/25/2004 Planning Commission meeting and to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 27 [VAR-3704] – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-3530] in light of pending legal action with D.R. Horton and DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL noted the reasons for each applicant's request for abeyance..

Item 1	To resolve design issues
Item 18	Hired new representation
Item 19	Hired new representation
Item 33	Address concerns

DAVID CLAPSADDLE, Planning and Development Department, stated that there are letters on file for each request.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3704 - PUBLIC HEARING - SDR-3703 - APPLICANT/OWNER: SHARON KEA - IMPERIAL HEALTH SPA - Request for a Site Development Plan Review FOR A PROPOSED HEALTH SPA, RESTAURANT AND KARAOKE BAR AND WAIVERS TO THE PERIMETER LANDSCAPING REQUIREMENTS at 1070 East Sahara Avenue (APN: 162-03-801-034, 055, 132, 033, and 069), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the applicant has withdrawn the original request for a parking variance. He explained that the proposed project entails remodeling of the existing building. Although staff has concerns regarding the parking, it appears further discussion with the applicant will bring about a favorable solution.

RAY CORDOVA, 1214 Tuani Circle, Garden Grove, California, appeared on behalf of the applicant. He explained that two adjacent parcels were acquired by the applicant and added to the existing site.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 28 – SDR-3703

MINUTES – Continued:

The applicant proposed to hold one of those parcels for future development before the issue arose regarding the lack of parking. With this regard, the applicant chose to utilize that particular site to meet the parking requirements. Pertaining to the conditions, MR. CORDOVA committed to complying with all of them and would ensure that the landscaping is appropriately done.

TODD FARLOW, 240 North 19th Street, asked what the previous use was on this particular building.

BEN WILLIAMS, 3869 China Cloud Drive, first appeared in opposition to the proposed project. He cited the use as his reason for opposition and stated that there are currently five massage parlors located on Paradise Road. MR. CLAPSADDLE clarified that this property was formerly a health spa and likewise this application is for a health spa. He further explained that the application is before the Commission because of waivers to the perimeter landscaping requirements. MR. WILLIAMS stated that there is a school behind this location and, further referring to the use as a nightclub, felt the use is inappropriate for the neighborhood and would not be compatible to the existing establishments in the area.

KIM WILLIAMS, 3935 Charlo Drive, also appeared in opposition. He, like the previous speaker, felt this establishment would not be compatible, particularly because of the two schools that back up to the subject property.

DEPUTY CITY ATTORNEY BRYAN SCOTT reminded the audience that this is a site development review plan and therefore the use is not the issue. MR. CLAPSADDLE concurred and added that if the application was for a nightclub, it would require a special use permit and a public hearing would need to be held. KYLE WALTON, Planning and Development Department, interjected with further explanation that the bar referred to in the application relates to a juice bar and not one associated with alcohol.

BEN MONTROYA, Principal of the adjacent school, 1100 East St. Louis, stated that his main concern dealt with the serving of alcohol; however, after hearing staff's explanation stated he no longer objected to the proposed use.

MR. CORDOVA stressed that the building will continue to be a health spa. He offered assurances that no alcoholic beverages would be served. MR. CORDOVA also stated that he submitted the site development plan and a conceptual plan of the site.

(6:42 – 6:52)

1-1374

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 28 – SDR-3703

CONDITIONS:

Planning and Development

1. The applicant shall meet with Planning and Development Staff prior to the issue of building permits to develop an address plan for the development.
2. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, a minimum five-foot sidewalk shall connect the front of the building to the parking areas to the west.
3. A covered trash enclosure and a loading zone shall be provided.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations presented at the 02/26/04 Planning Commission meeting.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.)
7. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

10. Coordinate with the City Surveyor to determine whether an Administrative Joining or mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
11. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 28 – SDR-3703

CONDITIONS – Continued:

12. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
13. Site development to comply with all applicable conditions of approval for Parcel Map PM-41-99 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-3715 – APPLICANT/OWNER: RICHARD AND JILL BURNS - Request for a Variance TO ALLOW A DETACHED ACCESSORY STRUCTURE (GARAGE) TO EXCEED HEIGHT AND SQUARE FOOTAGE OF MAIN DWELLING on 0.45 acres at 6209 West Alexander Road (APN:138-11-510-010), R-E (Residence Estates) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – ABEYANCE to 3/11/2004 Planning Commission meeting – UNANIMOUS with DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that the applicant proposes a building 23 feet 2 inches in height. Determining that the applicant has created a self-imposed hardship by exceeding the required development standards related to height and area, staff recommended denial. MR. WALTON stated that alternate floor plans and elevations would enable the applicant to comply with Title 19 Standards. DAVID CLAPSADDLE, Planning and Development Department, added that staff researched another residence in the area and discovered that a permit was issued for a detached structure larger and higher than the main structure. He noted that although the permit was issued in error, that residence did qualify for administrative deviation because the difference was much less between the detached structure and the principal structure than the application being reviewed.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 29 – VAR-3715

MINUTES: Continued:

RICHARD and JILL BURNS, the applicants, 6209 West Alexander Road, referenced the other properties that have detached structures that appear to exceed the height limitations. MR. BURNS stated that his structure would not be visible to the street and felt it unfair that he not be allowed to construct it.

COMMISSIONER EVANS stated that there is a letter of opposition from one of the neighbors and asked the applicant to indicate where that residence was located. MR. BURNS informed that the residence abuts the rear of his property. He noted that there is a buffer of 25-30 foot tall trees that run along the fence line and would block any view to the garage.

COMMISSIONER McSWAIN remarked that inasmuch as there are neighbors that object to the project and because the residence across the street, with its already-constructed building, is an awful example and comes across as a warehouse structure, she felt she could not support the application.

COMMISSIONER GOYNES asked what the distance from the neighbors would be. He stated he could support this application because it appeared to be compatible with the other properties that have similar-type garages.

COMMISSIONER STEINMAN asked the applicant to indicate what is located on his property line. MR. BURNS stated the proposed structure will be eight feet away from the side property line and has a block wall on that boundary.

COMMISSIONER EVANS suggested the applicants speak to their neighbors in light of the letters of opposition that have been received. COMMISSIONER McSWAIN concurred and recommended the variance be held in abeyance to allow them adequate time to speak with the neighbors.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(7:58 – 8:17)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO SDR-3713 - PUBLIC HEARING - SUP-3712 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A BAILBOND SERVICE at 608 South Third Street (APN: 139-34-311-070), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief).

IF APPROVED: C.C.: 04/07/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions – UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 30 [SUP-3712] and Item 31 [SDR-3713].

DAVID CLAPSADDLE, Planning and Development Department, explained that two existing buildings will be converted into a bail bonds facility. It is located within the Downtown Centennial Plan and conforms to all Code Standards. Staff recommended approval subject to the appropriate conditions.

With regard to the conditions, MARGO WHEELER, Deputy Director, Planning and Development Department, read an additional condition pertaining to streetscapes.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 30 – SUP-3712

MINUTES – Continued:

DOLAN HANKS, 608 South Third Street, appeared on behalf of the applicant and concurred with staff's recommendations and conditions.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 30 [SUP-3712] and Item 31 [SDR-3713].

NOTE: All discussion for Item 30 [SUP-3712] and Item 31 [SDR-3713] was held under Item 30 [SUP-3712].

NOTE: The meeting recessed at 8:22 p.m.

(8:17 – 8:22)

2-1619

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3712 - PUBLIC HEARING – SDR-3713 - APPLICANT: CHURCH'S BAIL BONDS, INC. - OWNER: BONNEVILLE CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Review FOR A PROPOSED BAILBOND OFFICE on 0.16 acres at 608 South Third Street (APN: 139-34-311-070), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions with the added conditions as follows:

- *A landscape plan designed to be in conformance with the Downtown Centennial Plan streetscape standards shall be submitted to the Planning and Development Department prior to issuance of building permits.*
- *The existing chain link fence shall be removed.*

– UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 31 – SDR-3713

MINUTES:

NOTE: See Item 30 [SUP-3712] for related discussion.
(8:17 – 8:22)

2-1619

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped April 7, 2004, except as amended by conditions herein.
3. A handicap access ramp shall be reviewed and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect a more compatible design in accordance with the historic nature of the building.
4. Parking lot lighting shall be limited to 30 feet in height. The lighting in the parking lot and attached to the buildings shall be positioned to prevent spill over onto adjacent property.

Public Works

5. Remove all substandard public street improvements adjacent to this site (Assessor's Parcel Numbers 139-34-311-070 and 139-34-311-071), if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. Landscape and maintain all unimproved right-of-way on Third Street adjacent to Assessor's Parcel Numbers 139-34-311-070 and 139-34-311-071.
7. Submit an Encroachment Agreement for all landscaping and private improvements located in the Third Street public right-of-way adjacent to Assessor's Parcel Numbers 139-34-311-070 and 139-34-311-071 prior to occupancy of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3716 - APPLICANT: AURELIO'S - OWNER: CHEYENNE INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR AND A WAIVER FROM THE 400 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH AND PARK at 7660 West Cheyenne Avenue, Suite #122 (APN: 138-09-821-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown).

IF APPROVED: C.C.: 04/07/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that this site is located within a major intersection that has substantial commercial development. Both the Church and the Park are located on the opposite side of the intersection. Staff felt the waivers are appropriate and recommended approval subject to conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 32 – SUP-3716

MINUTES – Continued:

DAVID and LISA JONES, the applicants, 7660 West Cheyenne Avenue, and MEGAN MEDIA, Cheyenne Investments, LLC, 3291 North Buffalo Drive, represented this application and concurred with all conditions.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: Meeting resume at 8:33 p.m.

(8:33 – 8:35)

2-1781

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Restaurant Service Bar.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. waiver is granted to permit the use within the 400-foot minimum distance separation requirement from protected uses.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3717 - APPLICANT: TUSCAN RESTAURANT ENTERPRISES, LIMITED LIABILITY COMPANY - OWNER: MMM PROPERTIES, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A NIGHT CLUB at 1050 South Rampart Boulevard (APN: 138-32-412-024), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (L.B. McDonald).

IF APPROVED: C.C.: 04/07/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the March 11, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 1 [TMP-3530], Item 18 [ZON-3346], Item 19 [SDR-3514] and Item 33 [SUP-3717] to the 3/25/2004 Planning Commission meeting and to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 27 [VAR-3704] – UNANIMOUS with McSWAIN abstaining on Item 1 [TMP-3530] in light of pending legal action with D.R. Horton and DAVENPORT excused

MINUTES:

CHAIRMAN TRUESDELL noted the reasons for each applicant's request for abeyance..

- | | |
|---------|--------------------------|
| Item 1 | To resolve design issues |
| Item 18 | Hired new representation |
| Item 19 | Hired new representation |
| Item 33 | Address concerns |

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 33 – SUP-3717

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, stated that there are letters on file for each request.

(6:05 – 6:08)

1-127

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO SDR-3710 - PUBLIC HEARING - VAR-3880 - APPLICANT/OWNER: ASIE JAH - Request for a Variance TO ALLOW FIVE PARKING SPACES WHERE SIX ARE REQUIRED FOR A PROPOSED OFFICE on 0.18 acres at 2413 Maroney Avenue (APN: 162-02-410-096) R-2 (Medium-Low Density Residential) under Resolution of Intent to N-S (Neighborhood Service) Zone, Ward 3 (Reese).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions – UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 34 [VAR-3880] and Item 35 [SDR-3710].

KYLE WALTON, Planning and Development Department, explained that staff has worked closely with the applicant inasmuch as this is another office/home conversion. Because of the lot configuration, it was difficult to get the parking to conform to the standards of the code. It was finally determined that there is a hardship and that the variance is appropriate. Staff recommended approval subject to conditions.

WILLIE LANGFORD, 1224 West Monroe Avenue, appeared on behalf of the applicant and concurred with staff conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 34 – VAR-3880

MINUTES – Continued:

Relative to the Site Development Plan, COMMISSIONER EVANS noted that the adjacent properties along Sahara have very attractive landscaping and berming along the frontage on Sahara Avenue. MR. CLAPSADDLE suggested modifying Condition 6 to ensure that the landscape plan showing the street buffer along Sahara Avenue matches the desert landscaping of the adjacent properties. MR. LANGFORD concurred.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 34 [VAR-3880] and Item 35 [SDR-3710].

NOTE: All discussion for Item 34 [VAR-3880] and Item 35 [SDR-3710] was held under Item 34 [VAR-3880].

(8:35 – 8:41)

2-1867

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3710).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3880 - PUBLIC HEARING - SDR-3710 - APPLICANT/OWNER: ASIE JAH - Request for a Site Development Review FOR A PROPOSED LAW OFFICE AND FOR A WAIVER OF THE PERIMETER PARKING LOT LANDSCAPING REQUIREMENTS on 0.18 acres at 2413 Maroney Avenue (APN: 162-02-410-096) R-2 (Medium-Low Density Residential) under Resolution of Intent to N-S (Neighborhood Service) Zone, Ward 3 (Reese).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions and amending Condition 6 as follows:

6. *A landscaping plan that shows the street buffer along Sahara Avenue matches the neighboring desert landscaping must be submitted prior to or at the same time application is made for a building permit.*

– UNANIMOUS with DAVENPORT excused

To be heard by the City Council on 4/7/2004

MINUTES:

NOTE: See Item 34 [VAR-3880] for related discussion

(8:35 – 8:41)

2-1867

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 35 – SDR-3710

CONDITIONS:

Planning and Development

1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped February 18, 2004, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 35 – SDR-3710

CONDITIONS - Continued:

11. All City Code requirements and design standards of all City departments must be satisfied.
12. The applicant shall meet with Planning and Development staff to develop an addressing plan prior to issue of permits.

Public Works

13. Meet with the Flood Control Section of the Department of Public Works for assistance with the existing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any permits, whichever may occur first. Provide and improve all drainageways as recommended.
14. Site development to comply with all applicable conditions of approval for Z76-99 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3724 - APPLICANT: DANNY TARKANIAN - OWNER: PALACE STATION HOTEL & CASINO, INC. - Request for a Site Development Plan Review FOR A BASKETBALL GYMNASIUM AND WAIVERS OF GLAZING, BUILDING PLACEMENT, 15 FOOT WIDE LANDSCAPE PLANTER ALONG STREET FRONTAGES, AND PARKING LOT LANDSCAPE FINGERS on 1.68 acres adjacent to the southwest corner of Rancho and Teddy Drives (APN: 162-08-602-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting: Copy of letter from Station Casinos regarding exterior renderings

MOTION:

GOYNES - APPROVED subject to conditions with the following amendments:

Delete Condition 4

Modify Condition 16 by deleting *submittal of any construction drawing* in the first sentence.

Modify Condition 17 by deleting *submittal of any construction drawings, whichever may occur first* in the first sentence.

– UNANIMOUS with DAVENPORT excused

This is Final Action.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 36 – SDR-3724

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on

DAVID CLAPSADDLE, Planning and Development Department, explained that the proposed facility will be utilized for scheduled basketball events and will not be a public facility. It meets the development standards of the code; however, staff had hoped of the opportunity to work with the applicant in regard to the enhanced articulation of the buildings. Staff recommended approval subject to the appropriate conditions.

DAN TARKANIAN and JERRY TARKANIAN, 2905 Justice Lane, the applicants, AMADOR BENGOCHEA, Bentar Construction, 5900 Emerald, represented this application. MR. BENGOCHEA explained that since no improvements are planned for Rancho and Teddy Drive, the applicant requests that Conditions 16 and 17 be modified to delete the words "submittal of construction drawings". DAVID GUERRA, Public Works Department, responded to MR. BENGOCHEA requests and explained that Public Works Engineering Department is unsure as how the traffic influx would impact the area when major events are held. With regard to the Drainage Study, it is required by regional requirements and with regard to the construction drawings, staff questioned submittal of drawings if a study has not yet been approved.

MR. TARKANIAN listed the types of events planned and described the interior layout of the facility. He emphasized that there are 400 kids enrolled in the program. Being as this is a non-profit organization the children are exempt of any fees and the program benefits the public similar to how the YMCA operates. With regard to traffic influx, MR. TARKANIAN remarked that as part of the program, tournaments are planned; however, most of the competing teams will be from out of town and he did not anticipate a tremendous amount of traffic associated with these events. MR. BENGOCHEA commented on the applicant's efforts to work with staff regarding the height elevations, metal exterior, building color and design.

TODD FARLOW, 240 North 19th Street, appeared in support of this proposal and did not feel that the proposed use would have any greater impact than the intense traffic already generated by Palace Station. With regard to the traffic issue, COMMISSIONER GOYNES asked staff to clarify the traffic study further. MR. GUERRA explained that the study is an attempt to mitigate traffic congestion as much as possible and emphasized that the same traffic study conditions are placed on small projects that draw much less traffic. MR. GUERRA added that, in the interim before going to City Council, the applicant could proceed with submittal of the Drainage Study.

On a final note, COMMISSIONER GOYNES asked if the applicant meets the architectural requirements of the building. MR. CLAPSADDLE stated that the Code has certain requirements, which staff, in this case, did not feel was being met. MS. WHEELER interjected and affirmed that the Code are guidelines and not development standards and can be modified.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 36 – SDR-3724

MINUTES – Continued:

COMMISSIONERS STEINMAN and EVANS both noted their support but emphasized the need to submit the required Drainage Study and ensure that the proper Traffic Study is submitted and approved.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:41 – 9:22)

2-2108/3-1

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development, including the requested waivers shall be in conformance with the site plan, landscape plan and building elevations, date stamped April 7, 2004, except as amended by conditions herein. The plan shall be revised to show a loading area.
3. The elevations of the building shall be revised to include articulation of the facade elements or variation of the facade materials in order to reduce the monolithic form of the structure in accordance with Title 19.08.045(F)(1). The revisions shall be reviewed and approved by the Planning and Development Department prior to the issuance of a building permit.
4. The exterior materials of the structure shall conform to the requirements listed in Title 19.08.045(F)(2).
5. Trash enclosures shall be roofed using materials similar to those of the primary buildings on the site.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 36 – SDR-3724

CONDITIONS - Continued:

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Fugitive lighting shall not be created on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, on Teddy Drive and Rancho Drive and replace with new improvements meeting current City Standards concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 36 – SDR-3724

CONDITIONS - Continued:

17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
18. Site development to comply with all applicable conditions of approval for Z-0061-86 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

**VACATION RELATED TO TMP-3639 - PUBLIC HEARING - VAC-3664 -
APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS
ESTATES, LIMITED LIABILITY COMPANY - Request for a Petition to vacate all of
Maverick Street, between Meisenheimer Avenue and Racel Street, Ward 6 (Mack).**

SET DATE: 03/17/04

C.C.: 04/07/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm is presently under contract with Sterling S. Development and NIGRO abstaining as his firm is in litigation with one of the principals of Sterling S. Development and DAVENPORT excused

To be heard by the City Council on 3/17/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 37 [VAC-3664] and Item 38 [TMP-3639].

DAVID CLAPSADDLE, Planning and Development Department, explained the staff had a concern with Condition 8 concerning rural improvements to which the applicant did not agree. He added that if the Tentative Map is approved subject to conditions, the applicant has the option to appeal it to City Council.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 37 – VAC-3664

CONDITIONS – Continued:

LORA DREJA, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. She clarified that the applicant would like to have the option to construct half streets standard improvements with no sidewalks or streetlights. She noted that in lieu of the sidewalks, the applicant proposes to put in a granite trail as requested by the nearby residents.

DAVID GUERRA, Public Works Department, stated the requirements for the street section differs between Urban and Rural; however, is acceptable to whatever the Commission decides. MARGO WHEELER, Deputy Director, Planning and Development Department, asked staff to clarify what is required to accommodate the wishes of the applicant. MR. GUERRA replied that Condition 8 would need to be revised with the addition of a disclaimer stating construction of urban improvements or full half-street improvements including over paving with the deferment of streetlights and sidewalks on Racel Street. He further clarified that all referral to Racel Street would be removed where there is reference to rural improvements. MS. DREJA concurred with the proposed modifications to Condition 8.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 37 [VAC-3664] and Item 38 [TMP-3639].

NOTE: All discussion for Item 37 [VAC-3664] and Item 38 [TMP-3639], was held under Item 37 [VAC-3664].

(9:22 – 9:37)

3-381

CONDITIONS:

1. The boundaries of this Petition of Vacation shall be the full width of Maverick Street between the north right-of-way line of Racel Street and the south right-of-way line of Meisenheimer Avenue, including radius corners.
2. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required with TMP-3639 may be used to satisfy this condition provided that it covers the area to be vacated.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 37 – VAC-3664

CONDITIONS – Continued:

4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - RELATED TO VAC-3664 - TMP-3639 - QUARTERHORSE ESTATES UNIT 1 - APPLICANT: STERLING S. DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A17 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 9.76 acres adjacent to the northeast corner of Maverick Street and Racel Street (APN: 125-11-704-001), R-E (Residence Estates) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm is presently under contract with Sterling S. Development and NIGRO abstaining as his firm is in litigation with one of the principals of Sterling S. Development and DAVENPORT excused

This is Final Action

MINUTES:

NOTE: See Item 37 [VAC-3664] for related discussion
(9:22 – 9:37)

3-381

CONDITIONS:

Planning and Development

1. The six foot wide perimeter landscape planter area shall be carried north on both sides of the subdivision entry street and shall terminate at the sidewalk returns.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 38 – TMP-3639

CONDITIONS – Continued:

2. The retaining walls along Racel Street and Meisenheimer Avenue shall be stepped to the back of sidewalk and be constructed of decorative materials.
3. Perimeter block walls shall consist of decorative block with 20% contrasting material and cap; shall be limited to eight feet vertical wall face; and grade changes requiring retaining walls to exceed eight feet vertical wall face must include terracing with a minimum of four feet clear horizontal separation between walls.
4. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
5. Street names must be provided in accord with the City's Street Naming Regulations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. All rights-of-way in conflict with this site, such as those shown on VAC-3664, shall be vacated prior to the recordation of a Final Map abutting or overlying such right-of-way.
8. Construct rural improvements on Racel Street and Meisenheimer Avenue adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total street width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Racel Street and Meisenheimer Avenue; and 30-inch rolled curb on both sides of the street. The exterior street lighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; the streetlight poles shall be consistent with the type used in the Iron Mountain Ranch development to the west. Alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Racel Street and Meisenheimer Avenue. Extend all required underground utilities for future traffic signals, other electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 38 – TMP-3639

CONDITIONS - Continued:

9. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in Racel Street to the west edge of this site at a location and depth acceptable to the City Engineer. In addition, if the 18-inch public sanitary sewer line required in Jones Boulevard has not been constructed at the time of development of this site, construction of this line is required concurrent with development. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - TEXT AMENDMENT - PUBLIC HEARING - TXT-2450 - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to add a new Scenic Byway Overlay District in Title 19.06, to define the boundaries and intent of the District, and to add language regarding on-site and off-site signage within the District.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to condition – UNANIMOUS with TRUESDELL abstaining as he owns property within the Scenic Byway Overlay District, has previously sat on the Committee and been involved with in several discussions and DAVENPORT excused

To be forwarded to City Council in Ordinance Form

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 39 [TXT-2450] and Item 40 [DIR-3851].

YORGA KAGAFAS, Neighborhood Planner with the Department of Neighborhood Services, gave a brief presentation. He explained that there were approximately 40 participants, comprised of business owners, City staff, County staff and members of non-profit organizations. He stated that the Scenic Byway was established in 1995 and is administered by the Federal Highways Administration.

PLANNING COMMISSION MEETING OF FEBRUARY 26, 2004
Planning and Development Department
Item 39 – TXT-2450

MINUTES – Continued:

MR. KAGAFAS stated that there are 77 nationally designated Scenic Byways, with Las Vegas vying to be the 78th. In order to accomplish that, it was necessary to develop a Quarterly Management Plan that would protect the qualities of the Byway that makes it essentially unique. In the case of Las Vegas Boulevard, it qualified because it is a nighttime Scenic Byway due to the amount of neon along Las Vegas Boulevard and it also qualified because of its cultural and historical characteristics. Upon approval by the City Council, the City can move forward with applying for national designation.

AL GALLEG0, citizen of Las Vegas, asked why consideration was not given to include Las Vegas Boulevard up to and including the City limits. He stated that the two cemeteries located in the area of Owens and Las Vegas Boulevard most definitely meet the historical aspects. TODD FARLOW, 240 North 19th Street, concurred.

MR. KAGAFAS replied that the original application did include the full length of Las Vegas Boulevard from Sahara to Washington. In the State designation, the State determined that the sections from Owens to Washington did not qualify under the definitions of intrinsic qualities. In spite of that determination, he noted that the Historic Preservation Commission is actively pursuing obtaining National Historical Register designation for those cemeteries.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 39 [TXT-2450] and Item 40 [DIR-3851].

NOTE: All discussion for Item 39 [TXT-2450] and Item 40 [DIR-3851] was held under Item 39 [TXT-2450].

(9:37 – 9:51)

3-864

CONDITION:

Title 19.06.140 LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT

A. Intent

The Las Vegas Boulevard Scenic Byway was designated by the State of Nevada in 2002 in order to preserve the character of this nighttime urban scenic Byway. The intent of the Las Vegas Boulevard Scenic Byway Overlay District is to provide signage standards that will maintain and enhance the scenic qualities of this historic highway in accordance with the Byway designation.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

DIRECTOR'S BUSINESS - PUBLIC HEARING - DIR-3851 - APPLICANT: CITY OF LAS VEGAS - OWNER: LAS VEGAS BOULEVARD SCENIC BYWAY CORRIDOR MANAGEMENT PLAN - Request to amend the Southeast Sector of the General Plan to adopt the Las Vegas Boulevard Scenic Byway Corridor Management Plan, Ward 1 (Moncrief), Ward 3 (Reese), and Ward 5 (Weekly).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

McSWAIN – APPROVED – UNANIMOUS with TRUESDELL abstaining as he owns property within the Scenic Byway Overlay District, has previously sat on the Committee and been involved with in several discussions and DAVENPORT excused

To be forwarded to City Council in Ordinance Form

MINUTES:

NOTE: See Item 39 [TXT-2450] for related discussion.

(9:37 – 9:51)

3-864



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: FEBRUARY 26, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

TODD FARLOW, 240 North 19th Street, reminded the Commissioners about the Sustained Architecture Meetings to be held on March 10, 2004 at UNLV.

(9:51 – 9:52)

3-1350

MEETING ADJOURNED AT 9:52P.M.

Respectfully submitted:

ANGELA CROLLI, DEPUTY CITY CLERK

DEENY ARAUJO, DEPUTY CITY CLERK